

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 20-CV-9653-AT-KHP
DATE FILED: 6/17/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JEANNETTE ESCOBAR,

Plaintiff,

-v-

ANDREW M. SAUL,
Commissioner of Social Security,

Defendant.

-----X
20 CIVIL 9653 (AT)(KHP)

JUDGMENT

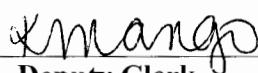
It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Stipulation and Order dated June 16, 2021, that this action be, and hereby is, remanded to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g), in connection with the Supreme Court's decision in Carr v. Saul, 141 S. Ct. 1352 (2021), in which the Court held that a claimant need not raise an Appointments Clause claim before the Social Security Administration, but may instead present it for the first time in federal court. On remand, the case will be assigned to a different administrative law judge ("ALJ") to further evaluate plaintiff's claims, plaintiff will be offered the opportunity for a hearing, and the ALJ will issue a new decision. See Shalala v. Schaefer, 509 U.S. 292 (1993). Each party will bear its own attorneys' fees, costs, and expenses.

Dated: New York, New York
June 17, 2021

RUBY J. KRAJICK

BY:

Clerk of Court


K. Mangano
Deputy Clerk